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## **OFFICE OF THE INDEPENDENT BUDGET ANALYST REPORT**

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**Date Issued:** July 20, 2009

**IBA Report Number:** 09-66

**City Council Docket Date:** July 28, 2009

**Item Number:** N/A

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# **Proposed Response to Grand Jury Report “Time for Repeal of the People’s Ordinance,” Revised with Rules Committee Direction**

On April 7, 2009 the San Diego County Grand Jury issued a report to the City Council entitled “Time for Repeal of the People’s Ordinance.” The Grand Jury Report, which examined the impact of the People’s Ordinance in light of current political and economic conditions, included three findings and two recommendations. The City Council is required to provide comments to the Presiding Judge of the San Diego Superior Court on each of the findings and recommendations made in the Grand Jury Report.

As in the past, the IBA developed proposed responses on behalf of the City Council for each of the finding and recommendations presented in the Grand Jury Report. The proposed responses were presented to the Natural Resources and Culture Committee on May 27, and were forwarded to the full Council without recommendation. On June 23 the item was heard by the full council, and returned to the IBA with direction to revise the proposed responses in an effort to reach consensus. Each Council district was requested to provide a memo to the IBA with input on the proposed response to each finding and recommendations. Following the June 23 Council meeting, the Council President requested an extension to the deadline for the Council’s response, which was granted by the Superior Court. The City Council must now respond to the Presiding Judge of the Superior Court by August 14.

The IBA received three memos encompassing the input of five Council districts, one from Council member Lightner, one from Council members Faulconer and DeMaio, and one from Council members Gloria and Emerald. The three memos provided widely differing perspectives on the Grand Jury findings and recommendations. The IBA reviewed and carefully considered these memos, and based on the input revised a number of the proposed responses to the Grand Jury report.

The revised responses were presented to the Rules Committee on July 15. At that meeting, the Rules Committee directed the IBA and the City Attorney to work together to develop revised language for the responses to Finding 01, Finding 02, and Recommendation 09-02. The revised responses, reflecting the Rules Committee direction, are included as attachments to this report. Both a strikeout/underline version (Attachment 1) and a clean version (Attachment 2) have been included.

**[SIGNED]**

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Tom Haynes  
Fiscal & Policy Analyst

**[SIGNED]**

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APPROVED: Andrea Tevlin  
Independent Budget Analyst

Attachment:   1. Revised Proposed City Council Responses (Strikethrough/Underline)  
                  2. Revised Proposed City Council Responses (Clean version)